

CITY OF MUSKEGON  
MUSKEGON HOUSING BOARD OF APPEALS  
MEETING MINUTES  
07/02/09  
5:30PM

ATTENDANCE: Randy Mackie, Ed Simmons, Nick Kroes, Greg Borgman, Jon Rolewicz, Chris Carter

ABSENT:

EXCUSED: Jon Rolewicz

STAFF: Carmen Smith, Don LaBrenz, Henry Faltinowski, Anthony Kleibecker

GUESTS: Jeffrey Bergsma (60 E. Walton), Jesse Brant (619 Amity), Floyd Ryan (neighbor to 919 Windsor)

Meeting minutes: A motion was made by Randy Mackie and seconded by Nick Kroes to approve the May 2009 minutes.

A roll call vote was taken:

AYES:  
Greg Borgman  
Randy Mackie

NAYES:

EXCUSED:

ABSENT:

ABSTENTION:

Jon Rolewicz

Nick Kroes  
Chris Carter  
Ed Simmons  
Kirk Kolberg

Motion carried.

## **DANGEROUS BUILDING REVIEW CASES**

### **EN-080135 – 60 E. Walton – Jeffrey Bergsma – 5961 Austrian Pine Ln, Grant, MI 49327**

Jeffrey Bergsma was present to represent case.

Anthony Kleibecker stated case came before board in January 2009 and was tabled until April 2009 to allow owner time to work on building which no work has been done and Mr. Bergsma came to pull permits just last week and request was denied pending case coming before board. Mr. Bergsma recounted difficulties adjusting to civilian life after serving in military and being hospitalized for 30 days which prevented him from completing repairs. He asked for more time to complete. Nick Kroes stated when case came before board time was requested and was given two months. Mr. Bergsma stated he came in June 19<sup>th</sup> to get permits but was denied. Nick Kroes stated that was two months after case came before board last. Mr. Bergsma said it looks pretty good, painting and landscaping was done. Ed Simmons asked if a decision had been made about whether structure would become owner occupied or rental. Mr. Bergsma stated it would be owner occupied. Greg Borgman asked how much time would it would take to complete repairs. Mr. Bergsma stated he has to go to training July 15<sup>th</sup> and will be back home first week of August and should complete repairs in 30 days. Mr. Bergsma stated structure already had new water heater, furnace, steel doors, and new roof. Anthony Kleibecker asked about work done without permits. Mr. Bergsma said work was done by previous owner. Chris Carter asked about primary residence and timeline of repairs.

Motion made by Ed Simmons to declare structure substandard, a public nuisance, and dangerous building with delay going to City Commission until September 2009 if progress inspections are being conducted, motion seconded by Chris Carter.

A roll call vote was taken:

| <u>AYES:</u> | <u>NAYES:</u> | <u>EXCUSED:</u> | <u>ABSENT:</u> | <u>ABSTENTION:</u> |
|--------------|---------------|-----------------|----------------|--------------------|
| Greg Borgman |               |                 |                |                    |
| Randy Mackie |               |                 |                |                    |
|              |               | Jon Rolewicz    |                |                    |
| Nick Kroes   |               |                 |                |                    |
| Chris Carter |               |                 |                |                    |
| Ed Simmons   |               |                 |                |                    |
| Kirk Kolberg |               |                 |                |                    |

Motion carried.

## **DANGEROUS BUILDING NEW CASES**

### **EN-090113 – 619 Amity – Jesse D. Brant – 619 Amity, Muskegon, MI 49442**

Jesse Brant was present to represent case.

Anthony Kleibecker stated there has been a proposed ownership change. Mr. Brant stated he's been living with a friend because he didn't have resources to repair structure so he's gotten an agreement with potential buyer who has resources to fix property within six months. Randy Mackie asked if structure was sold already and Mr. Brant responded that he's selling on land contract but it has not been recorded yet. Ed Simmons said his concern was of structure passing thru many hands from one land contract to another. Mr. Brant said he really desired to keep home but didn't have finances to fix home. Anthony Kleibecker suggested that new owner comes to next meeting with a timeline for repairs.

A motion was made by Randy Mackie to table case until August 2009 to allow new owner to be present and was seconded by Nick Kroes.

A roll call vote was taken:

| <u>AYES:</u>   | <u>NAYES:</u> | <u>EXCUSED:</u> | <u>ABSENT:</u> | <u>ABSTENTION:</u> |
|--|---------------|-----------------|----------------|--------------------|
| Greg Borgman<br>Randy Mackie                             |               |                 |                |                    |
| Nick Kroes<br>Chris Carter<br>Ed Simmons<br>Kirk Kolberg |               | Jon Rolewicz    |                |                    |

Motion carried.

### **EN-090098 – 313 E. Forest - Federal National Mortgage Assoc., 1 S Wacker Dr., Chicago, IL 60606**

No one was present to represent case.

Staff Recommendation: Declare building substandard, a public nuisance, and dangerous building.

A motion was made by Ed Simmons and seconded by Randy Mackie to accept staff recommendation.

A roll call vote was taken:

| <u>AYES:</u> | <u>NAYES:</u> | <u>EXCUSED:</u> | <u>ABSENT:</u> | <u>ABSTENTION:</u> |
|--------------|---------------|-----------------|----------------|--------------------|
| Greg Borgman |               |                 |                |                    |
| Randy Mackie |               |                 |                |                    |
|              |               | Jon Rolewicz    |                |                    |
| Nick Kroes   |               |                 |                |                    |
| Chris Carter |               |                 |                |                    |
| Ed Simmons   |               |                 |                |                    |
| Kirk Kolberg |               |                 |                |                    |

Motion carried.

**EN-090114- 919 Windsor Ave., - David Kenniston – 2041 E. Broadway,  
Muskegon, MI 49444**

Floyd Ryan, a neighbor was present to speak about property at 919 Windsor.

Anthony Kleibecker stated there has been no contact with owner.

Mr. Floyd Ryan, neighbor across alley stated structure used to be a community grocery store and has now become an eyesore. He stated structure now being occupied by wild cats.

Randy Mackie made a motion to declare building substandard, a public nuisance, and dangerous building and was seconded by Ed Simmons.

A roll call vote was taken:

| <u>AYES:</u> | <u>NAYES:</u> | <u>EXCUSED:</u> | <u>ABSENT:</u> | <u>ABSTENTION:</u> |
|--------------|---------------|-----------------|----------------|--------------------|
| Greg Borgman |               |                 |                |                    |
| Randy Mackie |               |                 |                |                    |
|              |               | Jon Rolewicz    |                |                    |
| Nick Kroes   |               |                 |                |                    |
| Chris Carter |               |                 |                |                    |
| Ed Simmons   |               |                 |                |                    |
| Kirk Kolberg |               |                 |                |                    |

Motion carried.

**EN-090098 – 313 E. Forest – Federal National Mortgage Assoc., 1 S Wacker Dr., Chicago, IL 60606**

No one present to represent property.

Randy Mackie made a motion to declare building substandard, a public nuisance, and dangerous building and was seconded by Chris Carter.

A roll call vote was taken:

| <u>AYES:</u> | <u>NAYES:</u> | <u>EXCUSED:</u> | <u>ABSENT:</u> | <u>ABSTENTION:</u> |
|--------------|---------------|-----------------|----------------|--------------------|
| Greg Borgman |               |                 |                |                    |
| Randy Mackie |               |                 |                |                    |
|              |               | Jon Rolewicz    |                |                    |
| Nick Kroes   |               |                 |                |                    |
| Chris Carter |               |                 |                |                    |
| Ed Simmons   |               |                 |                |                    |
| Kirk Kolberg |               |                 |                |                    |

Motion carried.

**EN-090099 – 1478 Hoyt – State of Michigan, 430 West Allegan, First Floor, Lansing, MI 48922**

No one present to represent the property.

Anthony Kleibecker stated there has been no compliance to Notice & Order.

Ed Simmons made a motion to declare building substandard, a public nuisance, and dangerous building and was seconded by Randy Mackie.

A roll call vote was taken:

| <u>AYES:</u> | <u>NAYES:</u> | <u>EXCUSED:</u> | <u>ABSENT:</u> | <u>ABSTENTION:</u> |
|--------------|---------------|-----------------|----------------|--------------------|
| Greg Borgman |               |                 |                |                    |
| Randy Mackie |               |                 |                |                    |
|              |               | Jon Rolewicz    |                |                    |
| Nick Kroes   |               |                 |                |                    |
| Chris Carter |               |                 |                |                    |
| Ed Simmons   |               |                 |                |                    |
| Kirk Kolberg |               |                 |                |                    |

Motion carried.

**EN- 090068 – 1968 Howden – Barbara Wehnes, 3240 Waalkes, Muskegon Heights, MI 49444**

No one present to represent property.

Nick Kroes made a motion to declare building substandard, a public nuisance, and dangerous building and was seconded by Randy Mackie.

A roll call vote was taken:

AYES:                      NAYES:                      EXCUSED:                      ABSENT:                      ABSTENTION:

Greg Borgman  
Randy Mackie

Jon Rolewicz

Nick Kroes  
Chris Carter  
Ed Simmons  
Kirk Kolberg

Motion carried.

**OLD BUSINESS:**

Nick Kroes asked about status of 143 W Southern. Anthony Kleibecker said a consent order was received but has now expired and ownership has been questioned but case will be going back to court soon.

**NEW BUSINESS:**

**ADJOURNMENT:                      6:05 PM**

**CITY OF MUSKEGON**

AMERICAN DISABILITY ACT POLICY FOR ACCESS TO OPEN MEETINGS OF THE CITY COMMISSION AND ANY OF ITS COMMITTEES OR SUBCOMMITTEES.

The City of Muskegon will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting, upon twenty-four hours notice to the City of Muskegon.

Individuals with disabilities requiring auxiliary aids or services should contact the City of Muskegon by writing or calling the following.

Ann Becker, City Clerk  
933 Terrace Street  
Muskegon, MI 49443  
(231) 724-6705 or TDD (231) 724-6773